

ENTERED

August 08, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	MAG. ACTION NO. 2:18-MJ-2887
	§	
JORGE PENA-ELIZONDO	§	

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the Defendant pending trial in this case:

- (1) There are no conditions or combination of conditions that would reasonably secure the presence of the Defendant; and
- (2) There are no conditions or combination of conditions that will reasonably assure the safety of the community.

The evidence against the Defendant meets is substantial. The United States Marshal has video where the Defendant can be seen removing his restraints and then lying about it afterward. The findings and conclusions contained in the Pretrial Services Report are adopted. The Defendant's background information has not been verified and he has substantial ties to Mexico. According to the Pretrial Report, the Defendant has \$40,000 in a bank account, yet he did not disclose these funds to the court in his financial affidavit. This detention order is issued without prejudice to the Defendant's right to request reconsideration if he can produce a cash deposit, a third-party custodian, an

approved residence, a co-surety, and if he is willing to be placed into treatment for his mental health and addiction issues.

The Defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 8th day of August, 2018.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE